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Claims 1 through 27 are pending.

Claims 28 through 31 have been canceled.

Claims 19 has been amended by this Amendment.

Claims 1 through 27 have been rejected.

Discussion of the rejection based on 35 U.S.C. § 101

Examiner has rejected claims 19 through 27 under 35 U.S.C. § 101, arguing the claim lacks a practical application. Applicant has amended claim 19 to overcome the rejection. Specifically, Applicant has amended claim 19 to add the step "creating bills based on the tracked usage". This is a useful, concrete and tangible result.

Discussion of the rejection based on 35 U.S.C. § 102

Examiner has rejected claims 1 through 27 under 35 U.S.C. § 102 (b) as being anticipated by a two-page reference that shows a home page for Amazon.com (Amazon). Applicant has amended the claims. Applicant respectfully traverses the rejection as to the claims as amended.

Criteria for a rejection under 35 U.S.C. § 102

The criteria for a rejection under 35 U.S.C. § 102 has been clearly defined by the courts and confirmed by the U.S. Patent and Trademark Office. "A claim is anticipated only if each and every element as set forth in the claim is found,

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either expressly or inherently described, in a single prior art reference."

Verdegal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Each and every element set forth in the claims is not found either expressly or inherently in Amazon. Based on this, Applicant is traversing the rejections of the claims.

Below, Applicant points out subject matter within each independent claim that is not disclosed by Amazon. On the basis of this, Applicant believes all the claims are patentable over Amazon.

Discussion of Independent Claim 1

Claim 1 sets out a proprietary information utility computing system. The proprietary information utility computing system includes a repository that contains proprietary information. The repository is compartmentalized by user identity and entitlement, so that a first category of proprietary information is within private domains available to only a single user and a second category of proprietary information is within domains to which multiple users may be granted use in response to paying a subscription fee to use particular proprietary information within the second category of proprietary information. This is not disclosed or suggested by Amazon.

When discussing this limitation, next to the words "paying a subscription fee", Examiner has put the following words in parenthesis: "subscription of a magazine ". This is the only attempt Examiner has made to explain why Amazon discloses "paying a subscription fee" is set out in claim 1.

However, the two-page reference which Examiner has referred to as "Amazon.com" does not mention magazines and does not mention subscriptions. Further, no document or reference provided by the Examiner substantiates that the website Amazon.com, more than one year before the filing date of the present invention, offered subscriptions to magazines. If Examiner believes this is the case, Applicant requests documentation.

Further, even if Examiner could show that more than one year before the filing date of the present invention, the website Amazon.com offered subscriptions to magazines, this would still not be enough to disclose the limitation set out in claim 1. Specifically, in order to disclose this limitation, it is necessary to disclose that a repository is compartmentalized by user identity and entitlement, so that a first category of proprietary information is within private domains available to only a single user and a second category of proprietary information is within domains to which multiple users may be granted use in response to paying a subscription fee to use particular proprietary information within the second category of proprietary information. This is not disclosed or suggested by Amazon.

Discussion of Independent Claim 19

Claim 19 sets out a method implemented by a computing system. Proprietary information is stored within a repository. The repository is compartmentalized by user identity and entitlement, so that a first category of proprietary information is within private domains available to only a single user and a second category of proprietary information is within domains to which multiple users may be granted use in response to paying a subscription fee to use particular proprietary information within the second category of proprietary information. This is not disclosed or suggested by Amazon.

When discussing this limitation, next to the words "paying a subscription fee", Examiner has put the following words in parenthesis: "subscription of a magazine or newspaper". This is the only attempt Examiner has made to explain why Examiner believes Amazon discloses paying a subscription fee.

However, the two-page reference which Examiner has referred to as "Amazon.com" does not mention magazines or newspapers and does not mention subscriptions. Further, no document or reference provided by the Examiner substantiates that the website Amazon.com, more than one year before the filing date of the present invention, offered subscriptions to magazines or newspapers. If Examiner believes this is the case, Applicant requests documentation.

Further, even if Examiner could show that more than one year before the filing date of the present invention, the website Amazon.com offered subscriptions to magazines and newspapers, this would still not be enough to

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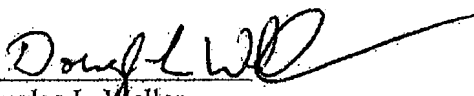
disclose the limitation set out in claim 19. Specifically, in order to disclose this limitation, it is necessary to disclose that a repository is compartmentalized by user identity and entitlement, so that a first category of proprietary information is within private domains available to only a single user and a second category of proprietary information is within domains to which multiple users may be granted use in response to paying a subscription fee to use particular proprietary information within the second category of proprietary information. This is not disclosed or suggested by Amazon.

CONCLUSION

Applicant believes this Amendment has placed the present case in condition for allowance and favorable action is respectfully requested.

Respectfully submitted,

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